

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LARIN SHINE

-against-

23-Civ. 387 (NSR) (JCM)

JAMIE ANDERSON



USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/17/2025

MOTION TO DISMISS

I respectfully submit to the court this motion to dismiss civil action 23-Civ. 387 based upon the following:

1. Contrary to plaintiffs claims and allegations, nothing said during a customer service call to Verizon was intentional, nor can plaintiff prove that anything said was intentional.
2. The purpose of the phone call was an attempt to secure some form of payment arrangement for services. I had suffered a career ending work injury on 5 August 2022 and at the time, was financially challenged waiting on workers comp and disability payments to be rendered.
3. Injury sustained was an L5 disc herniation with permanent S1 nerve root damage (scar tissue encasement) and sensorimotor peripheral neuropathy in both legs.
4. Contrary to plaintiffs claims and allegations, nothing said was intentional, in fact, it was reactionary to being patronized and ridiculed by the plaintiff for not being able to currently pay the bill due to financial distress at the time.
5. Part of reactionary language was slang, the other part I wasn't speaking to plaintiff.
6. Therefore, I feel the speech is protected by the 1st Amendment of our great constitution and such claims of intentional infliction of emotional distress cannot be brought forth.

The Court is in receipt of Defendant's purported motion to dismiss filed on October 3, 2024. Defendant's motion to dismiss is DISMISSED without prejudice to renew for failure to follow SDNY Local Rule 7.1(a) and Federal Rule of Civil Procedure 12(b). *Pro se* Defendant's motion fails to provide the Court with the basis for the motion, the applicable statute(s), and the relevant authorities. The Clerk of Court is directed to terminate the motion at ECF No. 29 and to mail a copy of this endorsement to *pro se* Defendant and *pro se* Plaintiff at their addresses as they are listed on ECF and to show service on the docket.

Dated: June 17, 2025  
White Plains, NY

SO ORDERED:  
  
NELSON S. ROMAN  
United States District Judge



MEMO ENDORSED

7. I have apologized to plaintiff, unfortunately plaintiff did not accept that apology during zoom conference with Honorable Judge McCarthy. I once again apologize to plaintiff for my choice of language.
8. Therefore, I respectfully submit this motion to dismiss to the court and pray that it be granted.
9. A copy of this motion has been mailed to plaintiff as well at provided address via USPS certified mail and return receipt.

Respectfully Submitted

A handwritten signature in black ink, reading "Jamie Anderson". The signature is written in a cursive, flowing style with a large initial "J" and "A".

Jamie Anderson

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<ul style="list-style-type: none"><li>■ Complete Items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X </p>	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Larin Shim 20 Nuvern Ave Mt. Vernon NY 10550		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)		3. Service Type	
 9590 9402 8711 3310 7332 89		<input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	
9589 0710 5270 1510 0818 83		fail fail Restricted Delivery 0)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

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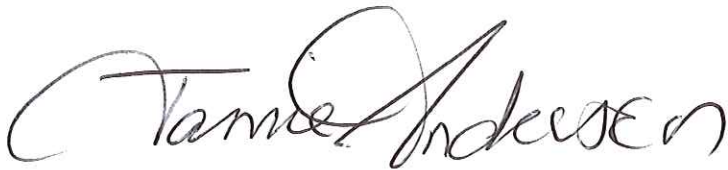
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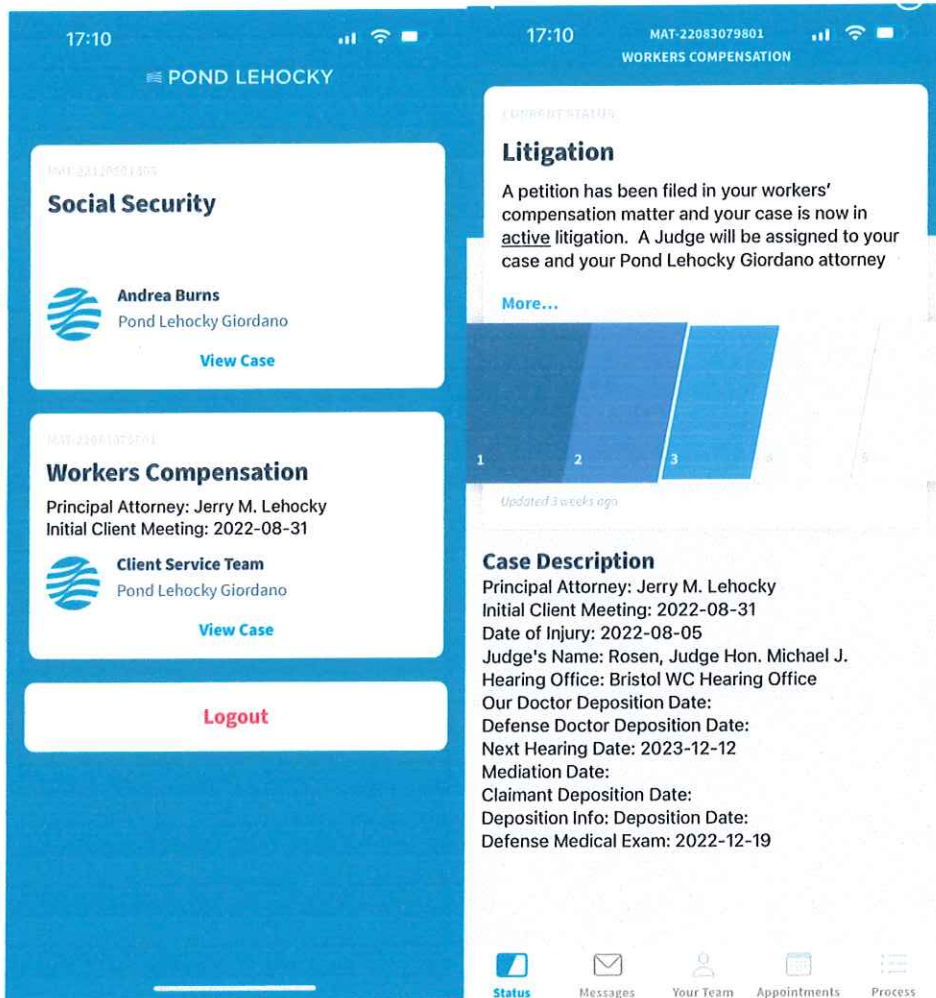
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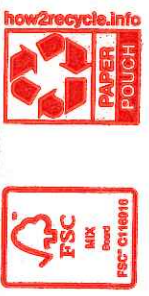
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